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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,846	11/28/2001	Mika Sugimoto	FJ-2001-030-US	8448

7590 07/29/2004  
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EXAMINER

ZHOU, TING

ART UNIT PAPER NUMBER

2173

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

**Application No.**

09/994,846

**Applicant(s)**

SUGIMOTO, MIKA

**Examiner**

Ting Zhou

**Art Unit**

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

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**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 05/05/2003
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities:
  - a. It is suggested that the use of “causes” on lines 27 and 6 of pages 1 and 2, respectively, be changed to -- causing --, in order to conform grammatically to the rest of the sentence.
  - b. It is suggested that the use of “selects” and “indicates” on line 11 of page 2 be changed to --selecting -- and -- indicating --, in order to conform grammatically with the rest of the sentence.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Parker, in the book, The Complete Idiot’s Guide to Microsoft FrontPage 2000, 1999.

Referring to claims 1 and 8, Parker teaches a homepage creation and update program (Microsoft FrontPage 2000) causing the computer to execute the functions of displaying a plurality of stored images and allowing the user to select a desired image (displaying a plurality

Best Available Copy

Art Unit: 2173

of files, such as clip art images, for users to import into a webpage) (pages 88-91), allowing the user to indicate beginning of the homepage creation process (users can create a new website, or update a website by using the FrontPage creator/editor to save and publish pages) (pages 15-16, 25 and 107), and automatically performing the one of the creation and the update of a homepage using the desired image after the desired image is selected and beginning of homepage creation process is indicated by the user (after the user has added or edited a selected image, FrontPage will automatically create or update the page when the user selects the options to save the changes made to the website and upload and publish the newly added or edited images, pages etc.) (pages 26-27, 107 and 297-300).

Referring to claims 2 and 9, Parker teaches arranging, when the user selects a plurality of desired images and indicated beginning of the homepage creation process, the selected plurality of images in order of the user's selection and automatically performing the one of creation and update of the homepage (FrontPage places each image the user selects onto the page in order of user selection; for example, the first image the user selects will be placed onto the page, followed by the next image the user selects, etc.) (pages 88-91).

Referring to claims 3 and 10, Parker teaches arranging, when the user selects a plurality of desired images and indicated beginning of the homepage creation process, the selected plurality of images according to image information stored in each image file, the image information concerning at least one of image width, image height, image direction, image resolution, trimming and zooming (arranging, or changing image information of each image file, or properties of the selected images by selecting Picture Properties from the menu; image

Art Unit: 2173

information that can be arranged include properties such as image width, height (size), direction (alignment), etc.) (pages 92-96 and 102-106).

Referring to claims 4 and 11, Parker teaches performing, when the user selects a plurality of desired images and indicates beginning of the homepage creation process, the one of the creation and update of the homepage, which displays the images with the photographing information stored in each image file, the photographing information concerning at least one of date and time, photographer, title, image width, image height, compression mode of a stored image, shutter speed, contraction value, brightness value, light exposure correction value, minimum stop-down value of lens, object distance, photometry method, flash emission conditions, photographing location, photographing direction, and comment information (when the user creates, or updates the webpage by uploading and publishing the page, photographing information, or file, image information can be displayed, including information such as date, title, size, comments, etc.) (pages 276-277 and 290-291).

Referring to claims 5 and 12, Parker teaches displaying, when the user selects the desired image and indicated beginning of the homepage creation process, a screen editor homepage, and selecting an image on the screen editor homepage, and then moving the image location and changing the image size (when the user selects to create a website with FrontPage and selected a desired image to add to the page, the user can change the size or location of the image by selecting the corresponding options, bringing up the appropriate dialog boxes, or screen editors for editing the images) (pages 92-95).

Referring to claims 6 and 13, Parker teaches automatically transmitting the homepage, which is one of created and updated by the homepage creation and update program, to a

Art Unit: 2173

specified server (FrontPage will upload the created, updated image and/or page onto a web server in order to publish the page over the Internet upon user selection to upload and publish the pages) (pages 297-300).

Referring to claims 7 and 14, Parker teaches creating and updating an index part concerning the homepage transmitted to the specified server (the user can view a summary, or index of all the pages, files, images, etc. on the site) (pages 276-277 and 290-291).

3. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar programs for selecting images to be included in the creating or updating of web pages.


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 8:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeza can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2173

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



CAO (KEVIN) NGUYEN  
PRIMARY EXAMINER

6 June 2004

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